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January 15, 2010

VIA OVERNIGHT MAIL

Honorable Jose L. Linares, U.S.D.J.
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: United States v. John J. Hamilton, Jr.
Crim. No.: 05-876
Oral Argument set for Post-Trial Motion(s): 02/08/2010

Dear Judge Linares:

As you are aware, oral argument on Mr. Hamilton's post-trial motions has been scheduled in the above matter for February 8, 2010. While the matter was assigned to me, due to conflicts at the time I was appointed as Mr. Hamilton's counsel, my Associate, Michael O'Donnell reviewed the file and prepared the motions to set aside the verdict and for a new trial and is the attorney most familiar with the specific issues in Mr. Hamilton's case. Accordingly, it is our intention that Mr. O'Donnell will appear at oral argument. Unfortunately, Mr. O'Donnell is scheduled for trial in Kline v. J.P. David, Inc. t/a Scoozie and David F. Eide, Docket No. MER-L-535-06 on February 8, 2010. The Kline matter, which dates back to 2006, has been adjourned on numerous occasions and is scheduled to proceed on that date.

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Due to this scheduling conflict, counsel is respectfully requesting that oral argument in the above referenced matter be adjourned for at least a two-week period and rescheduled. Thank you for your courtesies.

Respectfully,


Joshua Markowitz

JLM:MJO/d

c: Joyce M. Malliet, AUSA

Oral argument is adjourned to March 1, 2009 at 11AM.

SO ORDERED: 

DATED: 1/20/10